

U-VISA

What is a U-Visa?

A U-Visa is an immigration relief offered to victims of crimes within the United States. It provides temporary lawful status, employment authorization, protection from removal, a pathway to citizenship, and the ability to petition for family members. A U-visa allows you to stay in the United States for 4 years and apply for lawful permanent residence after 3 years.

How do I Qualify?

In order to qualify you must show that: you were a victim of a qualifying crime (felony assault, kidnapping, etc), you suffered substantial physical (broken limbs) or mental harm (PTSD, anxiety), you provided or could provide information to law enforcement about the crime and that you are admissible into the United States. The person who harmed you does not have to be convicted of crime against you but you MUST demonstrate you cooperate with law enforcement.

I-918 Application

1. You must first get the proper official to sign the supplement form stating you cooperated with them.
2. You must prepare and submit:
 - a. A personal statement where you talk about the crime about you experienced, how it affected you, and how you cooperated with law enforcement.
 - b. Supporting documentation such as medical records and letters of support,

After you apply:

- USCIS will send you a receipt with your file number. If your application is incomplete they will allow you an opportunity to correct or submit more information.
- If your application is granted you will receive an approval notice and Employment authorization Card.
- There is an annual cap 10,000 grants but the number is surpassed every year.
- On average the wait time for a U-Visa is 4-years
- The years on the waitlist do not count toward the requirement of legal permanent residence.

Bars:

- Unlawful status: If you do not have lawful status to be in the country
 - If you have a visa or documentation granting you entry you are most likely in lawful status
 - if you have been granted status (such as visa) but it is expired or revoked you have unlawful status
- Certain Diseases and Mental Disabilities
 - Such as such as Tuberculosis, Syphilis, and Gonorrhea
 - Mental disabilities only if they directly lead to harmful behavior

I-192 Waiver:

- The I-192 application will excuse you from most bars, if approved by USCIS.
- if you apply for a waiver, make sure to explain in your personal statement why you deserve to be excused.

